

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
BENSON EVERETT LEGG
Chief Judge

101 West Lombard Street
Baltimore, Maryland 21201
(410) 962-0723

June 16, 2003

MEMORANDUM TO COUNSEL RE: John Lucas Enderle, et al. v. Gwyn Harrison, M.D.,
et al.
Civil #L-01-2849

Dear Counsel:

The Court is in receipt of Mr. Varner's request for a continuance of the trial date. The request is hereby DENIED. In an effort to accommodate Mr. Varner, however, the Court will proceed as follows:

- (i) if either Nadeau v. Harshberger, No. 01-C-01-019669, or Burkett v. Gaba, No. JFM-02-3345, settles or is postponed, then trial in the instant case will begin as scheduled on September 29, 2003; or
- (ii) if neither case settles nor is postponed, then trial in the instant case will begin on October 7th, which will allow Mr. Varner's partner, Mr. Goundry, to try the case.

The Court will address scheduling at the pretrial conference on September 19th.

Despite the informal nature of this memorandum, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

Benson Everett Legg

c: Court file